

House File 2174 - Introduced

HOUSE FILE 2174
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 510)

A BILL FOR

1 An Act relating to strip searches at a county jail or municipal
2 holding facility.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 804.30, subsection 1, unnumbered
2 paragraph 1, Code 2014, is amended to read as follows:

3 A Except as otherwise provided in subsection 1A, a person
4 arrested for a scheduled violation or a simple misdemeanor
5 shall not be subjected to a strip search unless there is
6 probable cause to believe the person is concealing a weapon or
7 contraband. A strip search pursuant to this ~~section~~ subsection
8 shall not be conducted except under all of the following
9 conditions:

10 Sec. 2. Section 804.30, Code 2014, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 1A. A person arrested for a scheduled
13 violation or a simple misdemeanor and who is being committed to
14 the general population of a jail or municipal holding facility
15 shall be subjected to a strip search at the discretion of the
16 jail or municipal holding facility authorities.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This bill relates to strip searches of persons arrested for a
21 scheduled violation or simple misdemeanor.

22 Current law provides that a person arrested for a scheduled
23 violation or a simple misdemeanor shall not be subjected to
24 a strip search unless there is probable cause to believe the
25 person is concealing a weapon or contraband.

26 The bill adds that if such arrested person for a scheduled
27 violation or simple misdemeanor is being committed to the
28 general population of a jail or municipal holding facility, the
29 person shall be subjected to a strip search at the discretion
30 of the jail or municipal holding facility authorities.